

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ronald G. Brock, SR	Examiner:	Milef, Elda G.
Serial No.	09/904,741	Group Art Unit:	3692
Filed:	July 13, 2001	Docket No.	058351-010200
Title:	METHOD AND SYSTEM FOR PROVIDING REAL ESTATE INFORMATION		
Customer No.:	33717		

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APPELLANT'S SUBSTITUTE BRIEF

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Examiner Milef:

This substitute brief is submitted in reply to the Examiner's Answer mailed December 9, 2008, which raises a new grounds for rejection of claims 6-17, 51-53 under 35 U.S.C. § 101. Appellant respectfully request that the present appeal be maintained in accordance with 37 C.F.R. §§ 41.39(b) and accept this substitute brief replacing Appellant's original brief as a proper reply in accordance with 37 C.F.R. §§ 41.37(c) & 41.41.

With this substitute brief, Appellant is concurrently filing an Amendment only to cancel claims 6-17 and 51-53 in the present case, in accordance with 37 C.F.R. § 41.33. No other amendments have been made with the concurrently filed Amendment or with this substitute brief. This substitute brief differs from Appellant's original brief only in that it (1) addresses the

new grounds of rejection the Examiner raised in her December 9, 2008 Answer, (2) reflects cancelled claims 6-17 and 51-53, which were cancelled with the Amendment filed concurrently with this Amendment and (3) clarifies arguments Appellant originally made in the original brief based on statements the Examiner made in her December 9, 2008 Answer.

In furtherance of the Notice of Appeal filed in this case on May 23, 2007. Applicant hereby appeals to the Board from the Advisory Action mailed May 1, 2007 and the final rejections in the Final Office Action mailed January 24, 2007 of claims 1-4, 6-17, 41-45, and 51-57.

I. REAL PARTY IN INTEREST

The real party in interest in this appeal is Ronald G. Brock, SR.

II. RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal. Although Applicant has provided Appendix A for Related Appeals and Interferences, Appendix A is intentionally blank.

III. STATUS OF CLAIMS

Claims on Appeal are claims 1-4, 41-45 and 54-57. Upon entry of the Amendment filed concurrently with this substitute brief, claims 1-5, 18-50 and 54-57 are pending, as set forth in Appendix B of this brief. Claim 6-17 and 51-53 stand finally rejected under 35 U.S.C. §101. Claims 1, 2, 4 and 57 stand finally rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,857,174 to Dugan ("Dugan") in view of U.S. Patent No. 6,609,118 to Khedkar et al. ("Khedkar"). Claims 6-17, 41-45 and 51-56 stand finally rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Dugan in view of U.S. Patent No. 5,680,305 to Apgar ("Apgar"). Claim 3 stands finally rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Dugan in view of the article "Three More Companies Become WebLink Wireless Enterprise Solutions Partners: Datamatic, LynkUs and VoiceLink Join 19 Other

Companies in Wireless Data Effort.” Pr Newswire, New York: May 4, 2000, pg. 1” (“Three More Companies Article”).

IV. STATUS OF AMENDMENTS

Concurrent with the filing of this substitute brief, Appellant filed an Amendment that cancels claims 6-17 and 51-53 in the present case, in accordance with 37 C.F.R. § 41.33. Applicant respectfully requests entry of the concurrently filed Amendment. No other amendments have been made with the concurrently filed Amendment. An Amendment and Response after Final Rejection were electronically filed and entered on April 12, 2007. An Advisory Action was mailed on May 1, 2007 advising that Applicant’s April 12, 2007 Amendment and Response failed to put the present application in a condition for allowance because of the reasons stated in the Final Office Action dated January 24, 2007. Applicant filed a Notice of Appeal electronically on May 23, 2007.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Generally, as described in independent claim 1, one embodiment of the present invention describes an interactive, computer-implemented system for providing a comparison of at least two of a plurality of real estate properties. The system includes a real estate database storing data for each of the plurality of real estate properties, the data comprising at least one of address data, ownership data, physical characteristics data, size data, geographic location data and monetary value data. The real estate database further stores an actual monetary value for each of the plurality of real estate properties, a plurality of monetary value-affecting characteristics generally associated with real estate properties, and a standard monetary value for each of the plurality of monetary value-affecting characteristics. The system also includes an interface system for enabling a system user to input a request for a comparison of at least a portion of the data of the at least two of the plurality of real estate properties, the request comprising information sufficient to identify the at least two of the plurality of real estate properties. The request comprises the selection of a physical rating parameter and/or a location rating parameter. The system also includes a processor which uses the information to obtain the comparison of at

least a portion of the data of the at least two of the plurality of real estate properties and the processor is configured to provide a physical rating for each of the at least two of the plurality of real estate properties and a location rating for each of the at least two of the plurality of real estate properties and to use at least one of the standard monetary values for each of the plurality of monetary value-affecting characteristics to obtain a market standard monetary value for each of the at least two of the plurality of real estate properties. The system also includes a delivery system for providing to the system user the comparison of at least a portion of the data of the at least two of the plurality of real estate properties, where the comparison includes, for each of the at least two of the plurality of real estate properties, the physical rating, the location rating, the actual monetary value, and the market standard monetary value and where the physical rating parameter and/or the location rating parameter are used to select the at least two of the plurality of real estate properties provided in the comparison.

As described in independent claim 41, one embodiment of the present invention describes an interactive, computer-implemented system for providing a physical rating of a real estate property. The system includes a database storing a plurality of physical factors for each of a plurality of real estate properties, a weight indicator associated with each of the plurality of physical factors and a factor score associated with each of the plurality of physical factors. The system also includes an interface system for enabling a user to input a request for a physical rating for one of the plurality of real estate properties, the request comprising information sufficient to identify the one of the plurality of real estate properties in the database. The system also includes a processor which uses the information to obtain a physical rating for one of the plurality of real estate properties and is configured to obtain the physical rating by dividing the plurality of physical factors into a plurality of sets each having at least two factors, where the weight indicators of each of the plurality of factors in each of the plurality of sets are equal. The system also includes a delivery system for providing the physical rating to the user.

As described in independent claim 54, one embodiment of the present invention describes an interactive, computer-implemented system for providing a rating of a real estate property. The system including a database storing (i) a plurality of physical factors for each of a plurality of real estate properties, a weight indicator associated with each of the plurality of physical

factors; and a factor score associated with each of the plurality of physical factors and (ii) a plurality of location factors for each of the plurality of real estate properties, a weight indicator associated with each of the plurality of location factors and a factor score associated with each of the plurality of location factors. The system also includes an interface system for enabling a user to input a request for a physical and/or location rating for one of the plurality of real estate properties, the request including at least information sufficient to identify one of the plurality of real estate properties in the database. The system also including a processor which uses the information to obtain a rating for one of the plurality of real estate properties and is configured to provide a physical and/or location rating for each of the plurality of real estate properties, where providing the physical rating comprises dividing the plurality of physical factors into a plurality of sets each having at least two physical factors, where the weight indicators of each of the plurality of physical factors in each of the plurality of sets are equal and where providing the location rating includes dividing the plurality of location factors into a plurality of sets each having at least two location factors, where the weight indicators of each of the plurality of location factors in each of the plurality of sets are equal. The system also including a delivery system for providing the physical and/or location rating to the user.

Various details regarding embodiments of the methods and systems of the claimed inventions are described in Figs. 1-11. Additionally, page 9, line 23 to page 13, line 23 of the specification describes, among other things, the physical ratings and how they are calculated in one or more embodiments of the present invention. Similarly, page 13, line 24 to page 17 line 12 of the specification describes, among other things, the location ratings and how they are calculated in one or more embodiments of the present invention. Page 17, line 13 to page 19 line 4 of the specification describes, among other things, the market monetary values and how they are calculated in one or more embodiments of the present invention. Page 19, line 5 to page 21 line 3 of the specification describes, among other things, process flow and how it's calculated in one or more embodiments of the present invention.

VI. GROUND S OF REJECTION TO BE REVIEWED ON APPEAL

Applicant respectfully requests review of the following grounds of rejections made by the Examiner:

A. Rejection of claims 6-17 and 51-53 under 35 U.S.C. §101 as allegedly non-statutory.

B. Rejection of claims 1, 2, 4 and 57 under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,857,174 to Dugan (“Dugan”) in view of U.S. Patent No. 6,609,118 to Khedkar et al. (“Khedkar”).

C. Rejection of claims 6-17, 41-45 and 51-56 stand finally rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Dugan in view of U.S. Patent No. 5,680,305 to Apgar (“Apgar”).

D. Rejection of claim 3 under 35 U.S.C. §103(a) as allegedly unpatentable over Dugan in view of the Three More Companies Article.

VII. ARGUMENT

A. Rejection of Claims 6-17 and 51-53 under 35 U.S.C. §101.

Concurrent with the filing of this substitute brief, Appellant filed an Amendment that cancels claims 6-17 and 51-53 in the present case, in accordance with 37 C.F.R. § 41.33. In light of Appellant’s concurrently filed amendment, Applicant believes the Examiner’s rejections of claims 6-17 and 51-53 under 35 U.S.C. §101 are now moot and should be withdrawn. Applicant intends to file one or more continuation applications claiming at least the subject matter of cancelled claims 6-17 and 51-53 shortly after filing this substitute reply.

B. Rejection of Claims 1, 2, 4, and 57 under 35 U.S.C. §103(a) as being unpatentable over Dugan (U.S. Patent No. 5,857,174) in view of Khedkar et al. (hereinafter Khedkar U.S. Patent No. 6,609,118).

As shown in Appendix B, Applicant's pending independent claim 1 requires that the "said processor is configured to use at least one of said standard monetary values for each of said plurality of monetary value-affecting characteristics to obtain a market standard monetary value for each of said at least two of said plurality of real estate properties" (**emphasis added**).

In the January 24, 2007 Final Office Action, the Examiner states that Dugan does not disclose a market standard monetary value, but argues that Khedkar teaches possible adjustments 210 "as a function of the different number of bathrooms between the subject and comparable property" (citing to col. 10, lines 32-59; and cols. 8-13).

However, in making the rejection, the Examiner failed to appreciate that "adjustments 210" disclosed in Khedkar's are made with respect to differences that depend upon the particular subject property selected, which cannot be used to obtain market standard monetary value, as defined by claimed inventions. Market standard monetary value (herein sometimes referred to as simply "market standard value" or "MSV") is determined using "standard monetary values" as claimed, and the market standard monetary value does not depend upon the selection of any particular property (subject property or otherwise). In fact, in the present invention, market standard value does not in any way depend on the particular property selected. Instead, the market standard value is determined by adjusting the recited "actual monetary value" by the "standard monetary values", which are not dependent upon any particular subject property.

For example, Khedkar describes that the comparable properties undergo adjustments to their sales prices based on the difference between the selected subject property and the comparable properties (col. 10, lines 21-26). Khedkar does not anywhere teach or suggest and in fact teaches away from making these adjustments in the absence of a comparison to the subject property. Accordingly, it should be appreciated that Khedkar teaches an adjustment for a property that varies in each scenario depending on the selection of the subject property, which does not provide a standard monetary value.

Indeed, Khedkar describes that an adjustment should not even be done if four comparables cannot be found (col. 10, lines 60-63). In contrast, a market standard value may be determined for a property according to Applicant's claim 1 by adjusting the actual monetary value by the standard monetary values in the database. It is not necessary to select a set of other properties prior to determining this MSV.

Applicant's specification provides an example of a market standard value calculation (paragraphs [0077] and [0078]). Here, the table provided illustrates an Actual Rent of \$1000 that is adjusted by several standard monetary values (e.g., fireplace \$15) to provide a Market Standard Rent of \$921. In particular, note that the calculation of the Market Standard Rent is not dependent on the selection of comparable properties or any other property.

Further, Applicant's specification in paragraph [0075] describes a market standard value as standardized values for a property's sales price or rental value. One of skill in the art would understand that such standardization is not limited to merely a small group of selected comparable properties used to provide an appraised value for a single subject property.

The primary reference, Dugan, used by the Examiner in this rejection also makes clear throughout its description that the adjusted sales price 156 for a comparable property is not the same for all subject properties (col. 12, lines 61-65). In other words, as is the case for Khedkar described above, the adjustments made to sales prices will vary from one scenario to another as the subject property selected varies. This is, of course, not surprising since both Dugan and Khedkar have as their very limited single goal the providing of an appraised value for a selected property.

Dugan further describes that "[i]n this manner, the adjusted sale price 156 for a given property is particular to the subject property being appraised. Hence, each time a new subject property is selected, a new adjusted sale price 156 will have to be determined for that comparable property. Thus, a comparable property will have a different adjusted price depending upon the similarity with a chosen subject property." (col. 13, lines 1-7). A sales price 156 that varies like this with a change in subject property is not a market standard value as recited in claim 1 by Applicant.

Therefore, following the teachings of Dugan and Khedkar, it would not have been obvious to a person of ordinary skill in the art to determine the market standard value, as defined by the claimed invention. This important distinction provides various benefits, including allowing resulting market standard values to be determined irrespective of the subject property or the properties being compared. Applicant respectfully believes the Examiner used impermissible hindsight in rejecting claims 1, 2, 4 and 57 as obvious in light of Dugan and Khedkar. Accordingly, claim 1 should be allowed as non-obvious over Dugan and Khedkar. Claims 2 and 57 should be allowed as non-obvious over Dugan and Khedkar for all the same reasons discussed in relation to claim 1.

Applicant's claim 4, which depends from claim 1, recites "a list presented to said system user of each said standard monetary value used by said processor to obtain said market standard monetary value for each of said at least two of said plurality of real estate properties." Khedkar cannot teach such a list since Khedkar does not teach a standard monetary value. Further, because Khedkar and Dugan are focused on appraising a single subject property, there can be no suggestion here to prepare a list for two or more properties, in which the two or more properties are not restricted to only those comparable properties used to appraise the single subject property. Moreover, when the Examiner is attempting to make a prima facie case, any suggestion to present the factors influencing a valuation cannot properly extend beyond the global purpose of each of Dugan and Khedkar (i.e., the appraisal of a single subject property). Accordingly, in addition to all the reasons discussed above in relation to claim 1, claim 4 should be allowed as non-obvious over Dugan and Khedkar.

C. Rejection of Claims 6-17, 41-45, and 51-56 under 35 U.S.C. §103(a) as being unpatentable over Dugan in view of Apgar (U.S. Patent No. 5,680,305).

Applicant's claim 6 recites "evaluating each of said plurality of physical factors and attributing to said each of said plurality of physical factors a factor score". In the January 24, 2007 Final Office Action, the Examiner argues that categories 110 teach sets of physical factors and provides the categories of Facilities 116 and Improved 118 as each being an example of a "set." The Examiner further states that the Competitive Desirability Factors 125 are examples of

physical factors (e.g., sidewalk, gas mains, and TV Cable would each be physical factors in the set of “Facilities 116”).

The Examiner further argues that it is obvious from Dugan that the desirability factors 125 must be assigned some sort of score. However, Dugan only teaches that a person will consider the various desirability factors in deciding a final overall IPS score for the category. Specifically, Dugan states “[n]ext to each category 110 is a list of illustrative competitive desirability factors 125. These desirability factors 125 allow the appraiser or buyer that is filling out the form, to have some indication as to what attributes of the comparable property is to be assessed for each particular category 110.” (col. 9, lines 43-48). Having an indication like this that may lead to subjective consideration by an appraiser when deciding an overall score for the category 110 is simply not the “attributing” to each “physical factor” in a set a specific “score” as recited by Applicant’s claim 6.

Indeed, Dugan lists such a large number of desirability factors in each category 110 that it would be expected that a person often would not consider many of them when making an evaluation. In contrast, an example of attributing a score to individual physical factors is shown in Applicant’s specification at paragraph [0049]. Here, the table provided shows set 1 with several physical factors each having been attributed a factor score. A set 2 has several physical factors each attributed a factor score. Using the approach taught in Dugan would only result in a single score being attributed to set 1 and a single score to set 2. This is simply not what the claimed invention requires. In Dugan, there is no objective data recorded to reflect that an evaluation was done of a particular physical factor in a given set. For example, the appraiser in Dugan may give all or most consideration to topography in the facilities 116 category. Dugan provides no way to determine this, no information regarding such consideration, and no guidance to an appraiser to use in walking through and individually scoring each physical factor in a set.

Further, the making of a proper prima facie case here is not accomplished by the providing of any mere mathematical similarity to a prior appraisal approach. In the method of claim 6, a user is at some point evaluating a property by observation or some form of mental consideration. The method in which the information is presented to the user and the user

actually provides scoring info is relevant to an obviousness analysis. Here, the result of using Dugan's approach is that a user enters only a single number for a set. In Dugan, there is no objective indication in the list of individual scores that make clear whether and to what extent an appraiser actually considered an individual physical factor in the set.

Applicant's independent claim 6 further recites that "weight indicators of each of said plurality of physical factors in said each of said plurality of sets are equal". The Examiner argues that Dugan teaches weight indicators in the form of IPS values 138 (e.g., Fig. 6a). These maximum total IPS values sum to a total of 100. Specifically, Dugan states that "[u]nder an Ideal Point System (IPS), each of the categories 110 are assigned a maximum percentage or maximum IPS value 138. The total of all the maximum IPS values 138 should preferably add up to a total of 100 percent. Thus, if the user were to rate the particular property as having the maximum IPS value 138 for each category 110, a total score of 100 points would be awarded that property" (col. 9, lines 48-55).

Although the maximum IPS value permitted for a category may affect the weight that is given to the appraiser's single score for that category, this is at most giving a weight to an individual score. Dugan does not teach or suggest that each of the desirability factors in a category be given a factor score to which an equal weight will be applied. Again, Dugan does not provide any objective control over the consideration that an appraiser will give to each of the desirability factors. In contrast, for example for a more important set of physical factors where the set has a high weight indicator, the method of claim 6 recites that each physical factor in this important set will have an individual factor score assigned. Thus, it will be objectively clear whether an appraiser considered each of these more important physical factors, and the score will reflect the result of the appraiser's consideration. Dugan does not suggest anything like this.

Moreover, the other reference, Apgar, cited by the Examiner explicitly teaches away from using weight indicators that are equal for the physical factors listed in a given set. For the sake of argument, if the term "Grade" as described by Apgar (col. 11, lines 21-30) is considered to be a physical characteristic, then Apgar illustrates two Grade indicators in Fig. 13 (Building Class 342 and Building Age 344). Each of these indicators is multiplied by a weight factor

(XGK¹ and KGK²) in order to obtain an overall Grade score (col. 20, lines 16-23). If Grade is considered, for the sake of argument, to be a set of physical factors, then Apgar explicitly teaches that each physical factor is multiplied by a different weight. From a fair overall reading of Apgar, a person of skill in the art is led to use different weight indicators for each factor in a set of physical factors.

As additional examples in Apgar, see Fig. 5 (Amount factors) and Fig. 10 (Price factors). Anywhere that Apgar teaches or suggests factors that correspond to a set, Apgar teaches using different weight indicators. Further, the final summation of factors in Fig. 21 also teaches using different weights. There is nothing in Apgar that suggests using equal weights for factors in a given set, which changes both the method and the result. Accordingly, claim 6 should be allowed over the cited references.

Applicant's independent claims 13 and 51 are believed allowable at least for the reasons discussed above for claim 6, which the Examiner cites as the primary basis for the rejections.

Applicant's independent claims 41 and 54 are believed allowable at least for the reasons discussed above for claims 1 and 6, which the Examiner cites as the primary basis for the rejections.

Applicant's claim 56, which depends indirectly from claim 54, is believed allowable for the above reasons provided for claim 54 and further for the recitation of "market standard rental rates". The Examiner cites Apgar as teaching an average rent. However, an average rent is only an average of actual rents. There are no standard monetary values taught or suggested for use by Apgar. Additionally, dependent claims 7-12, 14-17, 42-45, 52, 53 and 55 are allowable for all the reasons mentioned above with respect to the independent claim from which they depend. Applicant respectfully believes the Examiner used impermissible hindsight in rejecting claims 6-17, 41-45, and 51-56 as obvious in light of Dugan and Apgar. Accordingly, Applicant respectfully requests claims 6-17, 41-45, and 51-56 be allowed.

D. Rejection of claim 3 under 35 U.S.C. §103(a) as being unpatentable over Dugan in view of Three More Companies Article (Three More Companies Become WebLink Wireless Enterprise Solutions Partners: Datamatic, LynkUs and VoiceLink Join 19 Other Companies in Wireless Data Effort. Pr Newswire, New York: May 4, 2000, pg. 1).

Claim 3 depends from Applicant's claim 1 and is believed allowable for the reasons discussed above.

In view of the above arguments, Applicant respectfully requests allowance of pending claims 1-4, 6-17, 41-45 and 51-57. It is respectfully submitted that the Examiner's rejections have been successfully traversed and that the application is now in order for allowance. Arguments made in Applicant's prior response are incorporated herein to the extent not changed by the above arguments. Accordingly, a Notice of Allowance is courteously solicited.

VIII. CLAIMS APPENDIX

A complete listing of the claims involved in this appeal and pending withdrawn and cancelled claims are attached hereto as Appendix B. The listing incorporates Appellants request to cancel claims 6-17 and 51-53, as requested in the Amendment filed concurrently with this substitute brief.

IX. EVIDENCE APPENDIX

Applicant submits that all the evidence relied upon in this appeal brief has already been entered in the present application. Although Applicant has provided Appendix C in this brief for Evidence, Appendix C is intentionally left blank.

X. RELATED PROCEEDINGS APPENDIX

Applicant states that there are no relevant related proceedings. Although Applicant has provided Appendix D in this brief for Related Proceedings, Appendix D is intentionally left blank.

XI. CONCLUSION

As discussed herein, the Examiner's final rejections are traversed and overcome in light of the arguments presented above. Furthermore, the claimed invention clearly constitutes "Progress in the Useful Arts" and eminently deserves patent protection. An Oral Hearing is requested. Accordingly, allowance of all claims on Appeal is therefore respectfully solicited.

Respectfully submitted,

Date: February 6, 2009

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Attachments:

Appendix A: Related Appeals And Interferences (blank)
Appendix B: Claims on Appeal
Appendix C: Evidence Appendix (blank)
Appendix D: Related Proceedings Appendix (blank)

APPENDIX A

Related Appeals And Interferences

None.

APPENDIX B**Claims on Appeal**

Claim 1 (Previously presented): An interactive, computer-implemented system for providing a comparison of at least two of a plurality of real estate properties, said system comprising:

a real estate database storing data for each of said plurality of real estate properties, said data comprising at least one of address data, ownership data, physical characteristics data, size data, geographic location data and monetary value data, wherein said real estate database further stores an actual monetary value for each of said plurality of real estate properties, a plurality of monetary value-affecting characteristics generally associated with real estate properties, and a standard monetary value for each of said plurality of monetary value-affecting characteristics;

an interface system for enabling a system user to input a request for a comparison of at least a portion of said data of said at least two of said plurality of real estate properties, said request comprising information sufficient to identify said at least two of said plurality of real estate properties, wherein said request comprises the selection of a physical rating parameter and/or a location rating parameter;

a processor which uses said information to obtain said comparison of at least a portion of said data of said at least two of said plurality of real estate properties, wherein said processor is configured to provide a physical rating for each of said at least two of said plurality of real estate properties, wherein said processor is configured to provide a location rating for each of said at least two of said plurality of real estate properties, and wherein said processor is configured to use at least one of said standard monetary values for each of said plurality of monetary value-affecting characteristics to obtain a market standard monetary value for each of said at least two of said plurality of real estate properties; and

a delivery system for providing to said system user said comparison of at least a portion of said data of said at least two of said plurality of real estate properties, wherein said comparison comprises, for each of said at least two of said plurality of real estate properties, said physical rating, said location rating, said actual monetary value, and said market standard monetary value; and wherein said physical rating parameter and/or said location rating parameter

are used to select the at least two of said plurality of real estate properties provided in said comparison.

Claim 2 (Original): The interactive, computer-implemented system of claim 1, further comprising an input system configured to permit the inputting of real estate property data into said database.

Claim 3 (Original): The interactive, computer-implemented system of claim 1, further comprising a subscriber database for storing data relating to subscribers to said system.

Claim 4 (Previously presented): The interactive, computer-implemented system of claim 1, wherein the comparison further comprises a list presented to said system user of each said standard monetary value used by said processor to obtain said market standard monetary value for each of said at least two of said plurality of real estate properties.

Claims 5-17 (Canceled)

Claim 18 (Withdrawn): A method for calculating a location rating of a subject real estate property, said method comprising:

- selecting a plurality of location factors generally associated with real estate properties of a type similar to that of the subject real estate property;

- attributing a weight indicator having a numerical representation to each of said plurality of location factors;

- evaluating each of said plurality of location factors and attributing to said each of said plurality of location factors a factor score;

- obtaining a total weighted score based on said plurality of factor scores; and

- obtaining a location rating based on said total weighted score and a sum of said weight indicators.

Claim 19 (Withdrawn): The method of claim 18, wherein said obtaining a total weighted score comprises:

 multiplying each factor score for each of said plurality of location factors by said weight indicator attributed to said each of said plurality of location factors to obtain a weighted score for said each of said plurality of location factors;

 dividing said plurality of location factors into a plurality of sets having a number of location factors, wherein said weight indicators of each of said plurality of location factors in said each of said plurality of sets are equal;

 for each of said plurality of sets, adding said weighted scores for each of said plurality of location factors in said each of said sets to obtain a total score for said each of said plurality of sets;

 dividing each of said total scores for each of said plurality of sets by said number of location factors in said each of said plurality of sets to obtain an average score for said each of said plurality of sets; and

 adding said average scores for each of said plurality of sets to obtain a total weighted score.

Claim 20 (Withdrawn): The method of claim 19, wherein said obtaining a location rating comprises:

 adding said weighted indicators of said plurality of sets to obtain a total weight indicator; and

 dividing said total weighted score by said total weight indicator to obtain a location rating.

Claim 21 (Withdrawn): The method of claim 18, wherein said subject real estate property is an apartment complex.

Claim 22 (Withdrawn): The method of claim 18, wherein said subject real estate property is a single family home.

Claim 23 (Withdrawn): The method of claim 18, wherein said subject real estate property is a commercial property.

Claim 24 (Withdrawn): The method of claim 18, further comprising converting said location rating to an alphabetic score.

Claim 25 (Withdrawn): A method of calculating a location rating of a subject real estate property, said method comprising:

- selecting a plurality of location factors generally associated with real estate properties of a type similar to that of the subject real estate property, said plurality of location factors divided into sets of location factors, each of said sets of location factors having a number of location factors, said number comprising at least one;

- attributing to said each of said sets of location factors a weight indicator having a numerical representation;

- for said each of said sets of location factors, evaluating each of said plurality of location factors for said subject real estate property and attributing to said each of said plurality of location factors a factor score to obtain a plurality of factor scores, each of said plurality of factor scores having a numerical representation based on said evaluating;

- for said each of said sets of location factors, summing said plurality of factor scores to obtain a total score; for said each of said sets of location factors, dividing said total score by said number of location factors in said each of said sets of location factors to obtain an average score;

- for said each of said sets of location factors, multiplying said average score by said weight indicator to obtain a weighted score;

- adding said weighted scores of said sets of location factors to obtain a total weighted score;

- adding said weighted indicators of said sets of location factors to obtain a total weight indicator; and

- dividing said total weighted score by said total weight indicator to obtain a location rating.

Claim 26 (Withdrawn): The method of claim 25, wherein said subject real estate property is an apartment complex.

Claim 27 (Withdrawn): The method of claim 25, wherein said subject real estate property is a single family home.

Claim 28 (Withdrawn): The method of claim 25, wherein said subject real estate property is a commercial property.

Claim 29 (Withdrawn): The method of claim 25, further comprising converting said location rating to an alphabetic score.

Claim 30 (Withdrawn): A method of calculating a market standard rent for a subject rental property having an actual rent, said method comprising:

selecting at least one rent-effecting characteristic generally associated with rental properties of a type similar to that of the subject rental property and assigning to said at least one rent-effecting characteristic a monetary value; and

adding said monetary value to said actual rent to obtain a market standard rent.

Claim 31 (Withdrawn): The method of claim 30, wherein said monetary value has one of a positive and negative value.

Claim 32 (Withdrawn): A method of calculating a market standard monetary value for a subject real estate property having an actual monetary value, said method comprising:

selecting at least one monetary value-effecting characteristic generally associated with real estate properties of a type similar to that of the subject real estate property and assigning to said at least one monetary value-effecting characteristic a characteristic monetary value; and

adding said characteristic monetary value to said actual monetary value.

Claim 33 (Withdrawn): The method of claim 32, wherein said characteristic monetary value has one of a positive and negative value.

Claim 34 (Withdrawn): The method of claim 32, wherein said subject real estate property is an apartment complex.

Claim 35 (Withdrawn): The method of claim 32, wherein said subject real estate property is a single family home.

Claim 36 (Withdrawn): The method of claim 32, wherein said subject real estate property is a commercial property.

Claim 37 (Withdrawn): An interactive, computer-implemented system for providing a market standard monetary value for a subject real estate property, said system comprising:

- a database storing the identity of a plurality of real estate properties, an actual monetary value for each of said plurality of real estate properties, a plurality of monetary value-affecting characteristics generally associated with real estate properties of a type similar to that of the subject real estate property, and a characteristics value for each of said plurality of monetary value-affecting characteristics, said characteristic value having one of a positive and negative value;

- an interface system for enabling a user to input a request for a market standard monetary value for said subject real estate property, said request comprising information sufficient to identify said subject real estate property from said plurality of real estate properties in said database;

- a processor which uses at least one of said plurality of monetary value-affecting characteristics and said characteristics value for said at least one of said plurality of monetary value-affecting characteristics to obtain a market standard monetary value for said subject real estate property; and

- a delivery system for providing said market standard monetary value to said user.

Claim 38 (Withdrawn): The interactive, computer-implemented system of claim 37, wherein said processor is configured to select from said database each of said plurality of monetary value-affecting characteristics that are possessed by said subject real estate property and to add to said actual monetary value of said subject real estate property said characteristics value for each

of said plurality of monetary value-affecting characteristics possessed by said subject real estate property.

Claim 39 (Withdrawn): The interactive, computer-implemented system of claim 37, wherein said actual monetary value is an actual sales price and said market standard monetary value is a market standard sales price.

Claim 40 (Withdrawn): The interactive, computer-implemented system of claim 37, wherein said actual monetary value is an actual rental rate and said market standard monetary value is a market standard rental rate.

Claim 41 (Previously presented): An interactive, computer-implemented system for providing a physical rating of a real estate property, said system comprising:

- a database storing: a plurality of physical factors for each of a plurality of real estate properties, a weight indicator associated with each of said plurality of physical factors; and a factor score associated with each of said plurality of physical factors;

- an interface system for enabling a user to input a request for a physical rating for one of said plurality of real estate properties, said request comprising information sufficient to identify said one of said plurality of real estate properties in said database;

- a processor which uses said information to obtain a physical rating for said one of said plurality of real estate properties, wherein said processor is configured to obtain said physical rating by dividing said plurality of physical factors into a plurality of sets each having a number of factors, said number comprising at least two, wherein said weight indicators of each of said plurality of factors in said each of said plurality of sets are equal; and

- a delivery system for providing said physical rating to said user.

Claim 42 (Previously presented): The interactive, computer-implemented system of claim 41, wherein said processor is further configured to obtain said physical rating for said one of said plurality of real estate properties by obtaining a total weighted score based on said factor scores associated with each of said plurality of physical factors of said one of said plurality of real

estate properties and said weight indicators associated with each of said plurality of physical factors of said one of said plurality of real estate properties.

Claim 43 (Original): The interactive, computer-implemented system of claim 42, wherein said processor is configured to obtain said total weighted score by:

 multiplying each of said factor scores associated with each of said plurality of physical factors of said one of said plurality of real estate properties by said weight indicator associated with said each of said plurality of physical factors to obtain a plurality of weighted factor scores; and

 summing said plurality of weighted factor scores to obtain a total weighted score.

Claim 44 (Previously presented): The interactive, computer-implemented system of claim 43, wherein said processor is further configured to obtain said physical rating by summing said weight indicators to obtain a total weight indicator and dividing said total weighted score by said total weight indicator.

Claim 45 (Original): The interactive, computer-implemented system of claim 41, wherein said processor is further configured to convert said physical rating to an alphabetic score.

Claim 46 (Withdrawn): An interactive, computer-implemented system for providing a location rating of a real estate property, said system comprising:

 a database storing: a plurality of location factors for each of a plurality of real estate properties, a weight indicator associated with each of said plurality of location factors; and a factor score associated with each of said plurality of location factors;

 an interface system for enabling a user to input a request for a location rating for one of said plurality of real estate properties, said request comprising information sufficient to identify said one of said plurality of real estate properties in said database;

 a processor which uses said information to obtain a location rating for said one of said plurality of real estate properties; and

 a delivery system for providing said location rating to said user.

Claim 47 (Withdrawn): The interactive, computer-implemented system of claim 46, wherein said processor is configured to obtain said location rating for said one of said plurality of real estate properties by obtaining a total weighted score based on said factor scores associated with each of said plurality of location factors of said one of said plurality of real estate properties and said weight indicators associated with each of said plurality of location factors of said one of said plurality of real estate properties.

Claim 48 (Withdrawn): The interactive, computer-implemented system of claim 47, wherein said processor is configured to obtain said total weighted score by:

 multiplying each of said factor scores associated with each of said plurality of location factors of said one of said plurality of real estate properties by said weight indicator associated with said each of said plurality of location factors to obtain a plurality of weighted factor scores; and

 summing said plurality of weighted factor scores to obtain a total weighted score.

Claim 49 (Withdrawn): The interactive, computer-implemented system of claim 48, wherein said processor is configured to obtain said location rating by summing said weight indicators to obtain a total weight indicator and dividing said total weighted score by said total weight indicator.

Claim 50 (Withdrawn): The interactive, computer-implemented system of claim 46, wherein said processor is further configured to convert said location rating to an alphabetic score.

Claims 51-53 (Canceled)

Claim 54 (Previously presented): An interactive, computer-implemented system for providing a rating of a real estate property, said system comprising:

 a database storing: (i) a plurality of physical factors for each of a plurality of real estate properties, a weight indicator associated with each of said plurality of physical factors; and a factor score associated with each of said plurality of physical factors; and (ii) a plurality of location factors for each of said plurality of real estate properties, a weight indicator associated

with each of said plurality of location factors; and a factor score associated with each of said plurality of location factors;

an interface system for enabling a user to input a request for a physical and/or location rating for one of said plurality of real estate properties, said request comprising information sufficient to identify said one of said plurality of real estate properties in said database;

a processor which uses said information to obtain a rating for said one of said plurality of real estate properties, wherein said processor is configured to provide a physical and/or location rating for each of said plurality of real estate properties, wherein providing said physical rating comprises dividing said plurality of physical factors into a plurality of sets each having a number of physical factors, said number comprising at least two, wherein said weight indicators of each of said plurality of physical factors in said each of said plurality of sets are equal, and wherein providing said location rating comprises dividing said plurality of location factors into a plurality of sets each having a number of location factors, said number comprising at least two, wherein said weight indicators of each of said plurality of location factors in said each of said plurality of sets are equal; and

a delivery system for providing said physical and/or location rating to said user.

Claim 55 (Previously presented): The interactive, computer-implemented system of claim 54, wherein said delivery system provides to said user a property comparison report comprising: a comparison of physical ratings and location ratings for at least two of said plurality of real estate properties.

Claim 56 (Previously presented): The interactive, computer-implemented system of claim 55, wherein said property comparison report further comprises a comparison of market standard rental rates along with a basis upon which the market standard rental rates were calculated.

Claim 57 (Previously presented): The interactive, computer-implemented system of claim 1, wherein said request by said system user further comprises the selection of a unit type for use in searching said real estate database.

APPENDIX C

Evidence

None.

APPENDIX D

Related Proceedings

None.